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Attorney for Defendant  
NOU CHUNG HER

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

NOU CHUNG HER,

Defendant.

Case No. 1:24-cr-00107-KES-BAM

STIPULATION TO CONTINUE  
HEARING; AND ORDER

Date: May 12, 2025

Time: 9:30 a.m.

Judge: Hon. Kirk E. Sherriff

**IT IS HEREBY STIPULATED** by and between the parties, through their respective counsel, Calvin Lee, Assistant United States Attorney, counsel for plaintiff, and Eric V. Kersten, counsel for defendant Nou Chung Her, that the status conference set for May 9, 2025, before the Honorable Barbara A. McAuliffe may be vacated, and the matter reset for May 12, 2025, before the Honorable Kirk E. Sherriff.

On March 12, 2025 Mr. Her was referred for a psychological evaluation pursuant to 18 USC 4241. A status conference regarding the examination was set for May 9, 2025, in magistrate court. [Doc. 35-36.] The examination has been completed and the evaluation concluded Mr. Her is competent. [Doc. 39.] The defense does not intend to contest that conclusion and it is anticipated Mr. Her will admit supervised release violations at the upcoming hearing. Due to lingering concerns regarding Mr. Her's competency the defense requests that the admission occur in district court. The government does not object to this request.

1 Because this matter is a supervised release violation the Speedy Trial Act does not apply  
2 and there is no need to exclude time.

3  
4 Respectfully submitted,

5 MICHELE BECKWITH  
6 Acting United States Attorney

7 DATED: May 6, 2025

8 /s/ Calvin Lee  
9 CALVIN LEE  
10 Assistant United States Attorney  
11 Attorney for Plaintiff

12 HEATHER E. WILLIAMS  
13 Federal Defender

14 DATED: May 6, 2025

15 /s/ Eric V. Kersten  
16 ERIC V. KERSTEN  
17 Assistant Federal Defender  
18 Attorney for Defendant  
19 NOU CHUNG HER

20  
21 **ORDER**

22 IT IS SO ORDERED. The status conference set for May 9, 2025, at 2:00 p.m. before  
23 Magistrate Judge Barbara A. McAuliffe is vacated. An admission hearing is set for **May 12,**  
24 **2025, at 9:30 a.m. before the District Judge Kirk E. Sherriff.**

25 IT IS SO ORDERED.

26 Dated: May 6, 2025

27 /s/ Barbara A. McAuliffe  
28 UNITED STATES MAGISTRATE JUDGE